

**Montgomery County Commissioners Meeting**

**April 1, 2003 ~ 6:00 p.m.**

**Chairman – William D. Maness “Billy”**

**Vice-Chairman – Dolon W. Corbett**

**Commissioner - Sally M. Morris**

**Commissioner – R.C. Bostic**

**Commissioner – George H. Knight, Jr.**

**County Manager – Lee Matthews**

**Clerk – Laura B. Morton**

**County Attorney – Russell J. Hollers**

The Montgomery County Board of Commissioner's met in regular session on Tuesday, April 1 2003 at 6:00 p.m. in the Montgomery County Commissioners' Room. All board members were present. Chairman Maness called the meeting to order and the following was heard:

Rev. Glenn Hancock of the Troy Circuit United Methodist Church gave the invocation.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris and so the minutes from the March meetings were approved.

***Public Forum***

Mr. Terry Braswell appeared before the board concerned about litter he has had to pick up after parties that are held at the Ag Center. He said the glass from the beer bottles is crushed when the state comes by and mows. He said he doesn't have a problem with the big events (i.e. the derby) there maybe a few cups here and there but nothing like the beer bottles after a private party at the Ag Center. He asked if he could get some help. Chairman Maness asked if he had any suggestions? Mr. Braswell said the only suggestion he has is to stop the parties. Commissioner Knight asked if it is mostly beer bottles? Mr. Braswell said naturally you have a few drink cans, but not as much as the glass containers. Commissioner Knight said he has the same problem, and he has tried to find a solution, maybe if we stop selling it in the stores then they can't drink it and throw it out, that is the only solution I came up with. Mr. Knight said I don't know what I am going to do to solve it. Commissioner Corbett said he lives in the country and has the same problem. Commissioner Knight said I thought we stopped the parties. Chairman Maness said there has been no formal action taken; we just suspended it until renovations are complete. County Manager Lee Matthews said they are not suppose to have alcohol there at the Ag Center, he said the board did talk about this last year. Chairman Maness told the board if they haven't been to the Ag Center since it has been renovated, to make sure they go by and see it, it looks good. Chairman Maness thanked Mr. Braswell for coming in.

**Recessed the Regular Session and Board of Equalization and Review Called to Order**

Chairman Maness recessed the regular session and Called to Order the Board of Equalization and Review. Sitting as the Board of Equalization and Review the commissioners heard the following request for adjustment:

Mr. Will Brown, tax representative from Deloitte & Touche appeared before the board to request an adjustment for tax assessment for Springs Industries. He gave an overview of what is happening with the textile industry and talked about plant closings and the number jobs the closing affected. Mr. Brown said the county has the building appraised for 4.8 million, the appraisal that was done was for 2.9 million and the listing price is 3 million. Mr. Brown said the appraisal comparisons are not as accurate as what he used.

Chairman Maness asked what are you saying the value is? Mr. Brown said 2 million.

Commissioner Corbett asked if the building was in good shape? Mr. Brown said it is in super good condition.

Mr. Brown referenced an article in Charlotte Observer, which said there was no end in sight with textiles and no hope of expanding.

Commissioner Bostic asked if they would consider subdividing the property? Mr. Brown said yes.

Commissioner Knight asked what is he asking for? Chairman Maness said he wants us to reduce taxes for Springs Industries.

The representative from Springs Industries read the following General Statutes:

§ 105-287. Changing appraised value of real property in years in which general reappraisal or horizontal adjustment is not made.

(a) In a year in which a general reappraisal or horizontal adjustment of real property in the county is not made, the assessor shall increase or decrease the appraised value of real property, as determined under G.S. 105-286, to recognize a change in the property's value resulting from one or more of the reasons listed in this subsection. The reason necessitating a change in the property's value need not be under the control of or at the request of the owner of the affected property.

(1) Correct a clerical or mathematical error.

(2) Correct an appraisal error resulting from a misapplication of the schedules, standards, and rules used in the county's most recent general reappraisal or horizontal adjustment.

(2a) Recognize an increase or decrease in the value of the property resulting from a conservation or preservation agreement subject to Article 4 of Chapter 121 of the General Statutes, the Conservation and Historic Preservation Agreements Act.

(2b) Recognize an increase or decrease in the value of the property resulting from a physical change to the land or to the improvements on the land, other than a change listed in subsection (b) of this section.

(2c) Recognize an increase or decrease in the value of the property resulting from a change in the legal use of the property.

(3) Recognize an increase or decrease in the value of the property resulting from a factor other than one listed in subsection (b).

(b) In a year in which a general reappraisal or horizontal adjustment of real property in the county is not made, the assessor may not increase or decrease the appraised value of real property, as determined under G.S. 105-286, to recognize a change in value caused by:

(1) Normal, physical depreciation of improvements;

(2) Inflation, deflation, or other economic changes affecting the county in general;  
or

(3) Betterments to the property made by:

- a. Repainting buildings or other structures;
- b. Terracing or other methods of soil conservation;
- c. Landscape gardening;
- d. Protecting forests against fire; or
- e. Impounding water on marshland for non-commercial purposes to preserve or enhance the natural habitat of wildlife.

(c) An increase or decrease in the appraised value of real property authorized by this section shall be made in accordance with the schedules, standards, and rules used in the county's most recent general reappraisal or horizontal adjustment. An increase or decrease in appraised value made under this section is effective as of January 1 of the year in which it is made and is not retroactive. This section does not modify or restrict the provisions of G.S. 105-312 concerning the appraisal of discovered property.

(d) Notwithstanding subsection (a), if a tract of land has been subdivided into lots and more than five acres of the tract remain unsold by the owner of the tract, the assessor may appraise the unsold portion as land acreage rather than as lots. A tract is considered subdivided into lots when the lots are located on streets laid out and open for travel and the lots have been sold or offered for sale as lots since the last appraisal of the property.

Commissioner Knight asked when they decided to close, didn't they think about this? Mr. Brown said we were hired a month ago. Mr. Knight said I can't believe \$3 million would slip through their fingertips.

Chairman Blake told Mr. Brown the board would contact him in writing with the decision.

**Recessed the Board of Equalization and Review and ROAP Public Hearing Called to Order**

Chairman Maness recessed the Board of Equalization and Review and Called to Order the Public Hearing on the ROAP (Rural Operating Assistance Program State Transportation Funds).

Mr. Russ Keeney, Director of the Randolph County Transportation along with Gayle Worley from the N.C. Department of Transportation were in attendance for the Public Hearing on the Rural Operating Assistance Program State Transportation Funds.

Mr. Keeney said the purpose of the public hearing is to request that the grant for ROAP continue in the amount of \$72,000. He said there is a small local match required normally, but Mrs. Worley's boss went to the head of the department and there is no local match this year. Mr. Keeney said they had not intended to come before the commissioners to ask for that, instead we would have gathered that from riders or from agencies who would use the system. He said basically we are looking at setting up a two-county system that we would operate from Asheboro, because their main office is there. (He said he used these words carefully). Mr. Keeney said they have asked for funding for another grant that will not go through the commission to have a coordinator, who would probably be housed in Troy who would coordinate the trips for different agencies, which would wish to participate in this.

Mr. Keeney said a week ago we agreed to a third grant to be put into the board of transportation in January for a consultant to be hired. They will be starting on April 10 with the first of several

meetings to gather information so we can figure out what the organization of this system will be, where it will be housed, what it will cost, how many people, how many vehicles needed, etc. This will be done in a hurried fashion to try to get done by June 30 and be able to move forward.

Mr. Keeney said we don't have the answers at this point. He said according to your Human Service Agencies there seems to be a big need for transportation. He said we think we have the pieces and the consultant can put it together as soon after the fiscal year to have this plan put together and move forward with it.

Commissioner Corbett asked Mr. Keeney if he has discussed where this person would be housed? Mr. Keeney said not really. He said at this point it was at a level we were hoping we could get the money, now that we know we can get the money we can have the meeting. He said he had talked with Mr. Matthews about where to have the meeting so it wouldn't be one agency's meeting, they decided to have the meeting at the library, to get everyone's feelings on this. He said he hopes people from small communities will be involved. He said we do have the funding for the coordinator.

Commissioner Corbett said this will be a countywide transportation program correct, because right now the Council on Aging doesn't go outside the city limits. Mr. Keeney said this would be a countywide transportation program.

Chairman Maness asked if they are working with all of the agencies such as Council on Aging. Mr. Keeney said yes, he said he talked with Gloria Lewis today and one of the things she said was she wanted to take the "transportation hat" off now, because she spends a lot of her day scheduling transportation.

Commissioner Knight asked how many jobs are we looking at? Mr. Keeney said he isn't sure at this point. That is one of the things the study will look at. It also depends on how many agencies decide they want to participate. They may want to keep their own van and drive it. Commissioner Knight said he wasn't expecting an exact number, just a ballpark estimate. Mr. Keeney said the grant is for \$72,000 plus new money that can be used for direct programs and services and divide that and about 2/3 of the money will go to cost of transportation will go for the driver. Mr. Knight said he was thinking of terms for jobs for Montgomery County, because you already have your jobs in Randolph County. Mr. Keeney said I expect these drives to be from here because it wouldn't make sense to hire drivers from Asheboro because they don't know the roads. Mr. Keeney said in his mind a Montgomery person will be the coordinator and then even though I am responsible for supervising that person they would be in charge of hiring the drivers.

Commissioner Corbett asked if these vans be equipped for handicapped people. Mr. Keeney said we requested in the other grant for four new vans – two of which will be lift equipped. He said he has seen a couple of the vans around town that are lift equipped and if they come into the fleet it will be very helpful. He said hopefully they will because there is a great replacement program for these vehicles.

Mr. Keeney said there is a form that needs to be filled out.

County Manager Lee Matthews said he needs to get that. Mr. Keeney said three signatures are required.

The board agreed to place this on the agenda for the April 15, 2003 meeting.

Chairman Maness adjourned the Public Hearing and reconvened the regular session.

### **Planning Board Report**

Phil Henley, Building Inspector appeared before the board with the following rezoning request:

Mr. Frank Earnhardt appeared before the Planning Board with a request to rezone his property at 320 Morton Road in Troy. The property is presently zoned R-2 and the above property owner wishes to have this 10 acre tract rezoned to R-3. This request is in order to place a singlewide mobile home on the property while building his house. At the Planning Board meeting the board recommended approval of this request. Mr. Henley said this property was posted and advertised as well as the adjoining property owners were notified through certified mail.

Chairman Maness asked if this property is way off the road and haven't we had another rezoning in this area? Mr. Earnhardt said yes.

Commissioner Knight asked why R-2 instead of R-3.

Mr. Henley explained this area was zoned R-2 along with the Lake property. Chairman Maness said there are several singlewides in this area.

Commissioner Bostic said this would be a perfect case for the conditional use permit, which we no longer allow.

In a motion made by Commissioner Morris, seconded by Commissioner Maness and so the motion carried unanimously to uphold the Planning Board's recommendation and approve the rezoning request.

### **Approval of Tax Releases and/or Refunds**

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the refund for KEJ Marketing Company which was double listed and double taxed 1998-2001 in the amount of \$1,633.80.

### **Approval of the Capital Project Ordinance and Engineering Contract**

County Manager Lee Matthews explained this is the Ordinance and Engineering Contract for the new water line extension project recently approved by the Board.

In a motion made by Commissioner Morris, seconded by Commissioner Knight, and so the motion carried 4-1 to approve the Capital Project Ordinance and Engineering Contract for the water line extension project.

### **Budget Revisions**

#### **911 Addressing**

In a motion made by Commissioner Morris, seconded by Commissioner Knight and so the motion carried 3-2 to approve the budget revision for 911 Addressing. Voting for the Budget Revision (Commissioner Morris, Commissioner Knight, Chairman Maness, Voting against the Budget Revision was Commissioner Corbett and Commissioner Bostic.) *A copy of this budget revision is on file in the clerk's office.*

**Items Carried Forward from the Work Session**

*The following items were carried forward from the work session:*

**Smallpox Vaccination Policy**

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the Smallpox Vaccination Policy.


**Capital Project Ordinance and Engineering Contract**

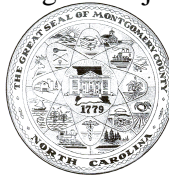
(Voted on Above)

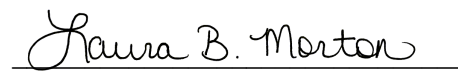
**Stopping Budget Revisions**

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic and so the motion carried 3-2 to stop budget revisions. (Voting For Stopping the Budget Revisions: Commissioner Corbett, Commissioner Bostic, and Chairman Maness; Voting Against Stopping Budget Revisions: Commissioner Morris and Commissioner Knight.)

There being no further business the meeting was adjourned.

  
William D. Maness, Chairman



  
Laura B. Morton, Clerk to the Board